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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/636,068	08/07/2003	Gilad Lavi	E1067/20279	9849
3000	7590	02/27/2006	EXAMINER	
CAESAR, RIVISE, BERNSTEIN, COHEN & POKOTILOW, LTD. 11TH FLOOR, SEVEN PENN CENTER 1635 MARKET STREET PHILADELPHIA, PA 19103-2212			WILLIAMS, CATHERINE SERKE	
			ART UNIT	PAPER NUMBER
			3763	
DATE MAILED: 02/27/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.



## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election without traverse of the Species of figure 25 in the reply filed on 12/20/05 and during the telephone interview on 2/17/05 is acknowledged. During the telephone interview applicant was reminded that only one species could be elected.

Claims 1-6,9-13 and 14 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 12/20/05. Claims 1-6, 9-12 and 14 contain limitations that are not included in the elected species.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 7,8 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Brenneman (USPN 5,466,220). Brenneman teaches a housing (12,30,40,64), a port (24), a delivery device in the shape of a pen (60), and a support surface (10). See figure 1. Method steps include inserting the container, transferring a volume of fluid, and separating the delivery device from the housing. The delivery device is considered a pen injector since the syringe has a length similar to a pen and is held in the hand like a pen.

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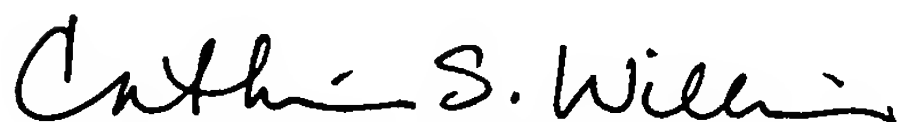
Claims 7,8 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Haber et al (USPN 5,329,976). Haber teaches a housing (16), a port (87), a delivery device in the shape of a pen (8), and a support surface (22). See figures 1-2. Method steps include inserting the container, transferring a volume of fluid, and separating the delivery device from the housing. The delivery device is considered a pen injector since the syringe has a length similar to a pen and is held in the hand like a pen.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Catherine S. Williams whose telephone number is 571-272-4970. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nicholas D. Lucchesi can be reached on 571-272-4977. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Catherine S. Williams  
February 17, 2006